

**COMBINED DECLARATION FOR PATENT APPLICATION AND POWER OF ATTORNEY**

(Includes Reference to PCT International Applications)

ATTORNEY DOCKET NUMBER

US 4037

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

SURGICAL INSTRUMENT

the specification of which (check only one item below):

☒ is attached hereto.

☐ was filed as United States application

Serial No. \_\_\_\_\_

on \_\_\_\_\_

and was amended

on \_\_\_\_\_ (if applicable)

☐ was filed as PCT international application

Number \_\_\_\_\_

on \_\_\_\_\_

and was amended under PCT Article 19

on \_\_\_\_\_ (if applicable)

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is known to me or other person(s) involved in the preparation or prosecution of this application to be material to the examination of this application and to patentability as defined in Title 37, Code of Federal Regulations, §1.56.

I hereby authorize the U.S. attorney or agent named herein to accept and follow instructions from \_\_\_\_\_

as to any action taken in the Patent and Trademark Office regarding this application without direct communication between the U.S. attorney or agent and the undersigned. In the event of a change in the persons from whom instructions may be taken, the U.S. attorney or agent named herein will be so notified by the undersigned.

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed:

**PRIOR FOREIGN/PCT APPLICATION(S) AND ANY PRIORITY CLAIMS UNDER 35 U.S.C. 119**

| COUNTRY<br>(If PCT, indicate "PCT") | APPLICATION NUMBER | DATE OF FILING<br>(day, month, year) | PRIORITY CLAIMED<br>UNDER 35 USC 119    |                             |
|-------------------------------------|--------------------|--------------------------------------|---|-----------------------------|
| Europe                              | 98 81 0930.2       | 17/09/1998                           | <input checked="" type="checkbox"/> YES | <input type="checkbox"/> NO |
|                                     |                    |                                      | <input type="checkbox"/> YES            | <input type="checkbox"/> NO |
|                                     |                    |                                      | <input type="checkbox"/> YES            | <input type="checkbox"/> NO |
|                                     |                    |                                      | <input type="checkbox"/> YES            | <input type="checkbox"/> NO |
|                                     |                    |                                      | <input type="checkbox"/> YES            | <input type="checkbox"/> NO |

**Combined Declaration For Patent Application and Power of Attorney (Continued)**

(Includes Reference to PCT International Applications)

ATTORNEY DOCKET NUMBER

US 4037

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) or PCT international application(s) designating the United States of America that is/are listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in that/those prior application(s) in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application(s) and the national or PCT international filing date of this application:

**PRIOR U.S. APPLICATIONS OR PCT INTERNATIONAL APPLICATIONS DESIGNATING THE U.S. BENEFIT UNDER 35 U.S.C. 120**

| U.S. APPLICATIONS       |                  | STATUS (Check one) |         |           |
|-------------------------|------------------|--------------------|---------|-----------|
| U.S. APPLICATION NUMBER | U.S. FILING DATE | PATENTED           | PENDING | ABANDONED |
|                         |                  |                    |         |           |
|                         |                  |                    |         |           |
|                         |                  |                    |         |           |

**PCT APPLICATIONS DESIGNATING THE U.S.**

| PCT APPLICATION NUMBER | PCT FILING DATE | U.S. SERIAL NUMBERS ASSIGNED (if any) |  |  |  |
|------------------------|-----------------|---------------------------------------|--|--|--|
|                        |                 |                                       |  |  |  |
|                        |                 |                                       |  |  |  |
|                        |                 |                                       |  |  |  |

**POWER OF ATTORNEY:** As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. (List name and registration number)

Paul J. Vincent Reg. No. 37,461

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|     |                         |                     |                          |                          |
|-----|-------------------------|---------------------|--------------------------|--------------------------|
| 201 | FULL NAME OF INVENTOR   | FAMILY NAME         | FIRST GIVEN NAME         | SECOND GIVEN NAME        |
|     | RESIDENCE & CITIZENSHIP | CITY                | STATE OR FOREIGN COUNTRY | COUNTRY OF CITIZENSHIP   |
|     | POST OFFICE ADDRESS     | POST OFFICE ADDRESS | CITY                     | STATE & ZIP CODE/COUNTRY |
| 202 | FULL NAME OF INVENTOR   | FAMILY NAME         | FIRST GIVEN NAME         | SECOND GIVEN NAME        |
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|     | POST OFFICE ADDRESS     | POST OFFICE ADDRESS | CITY                     | STATE & ZIP CODE/COUNTRY |
| 203 | FULL NAME OF INVENTOR   | FAMILY NAME         | FIRST GIVEN NAME         | SECOND GIVEN NAME        |
|     | RESIDENCE & CITIZENSHIP | CITY                | STATE OR FOREIGN COUNTRY | COUNTRY OF CITIZENSHIP   |
|     | POST OFFICE ADDRESS     | POST OFFICE ADDRESS | CITY                     | STATE & ZIP CODE/COUNTRY |

I hereby declare under penalty of perjury under the laws of the United States of America that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine and imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

SIGNATURE OF INVENTOR 201

X *Siegfried Hiltelbrandt*

SIGNATURE OF INVENTOR 202

SIGNATURE OF INVENTOR 203

DATE

X September 13, 1999

DATE

DATE

PTO/SB/09 (12-97)

Approved for use through 9/30/00. OMB 0651-0031  
Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

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**STATEMENT CLAIMING SMALL ENTITY STATUS  
(37 CFR 1.9(f) & 1.27(b))—INDEPENDENT INVENTOR**Docket Number (Optional)  
US 4037Applicant, Patentee, or Identifier: HILTEBRANDT, Siegfried

Application or Patent No.: \_\_\_\_\_

Filed or Issued: \_\_\_\_\_

Title: SURGICAL INSTRUMENT

As a below named inventor, I hereby state that I qualify as an independent inventor as defined in 37 CFR 1.9(c) for purposes of paying reduced fees to the Patent and Trademark Office described in:

- ☒ the specification filed herewith with title as listed above.
- ☐ the application identified above.
- ☐ the patent identified above.

I have not assigned, granted, conveyed, or licensed, and am under no obligation under contract or law to assign, grant, convey, or license, any rights in the invention to any person who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern, or organization to which I have assigned, granted, conveyed, or licensed or am under an obligation under contract or law to assign, grant, convey, or license any rights in the invention is listed below:

- ☒ No such person, concern, or organization exists.
- ☐ Each such person, concern, or organization is listed below.

Separate statements are required from each named person, concern, or organization having rights to the invention stating their status as small entities. (37 CFR 1.27)

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

Siegfried HILTEBRANDT

NAME OF INVENTOR

NAME OF INVENTOR

NAME OF INVENTOR

*Siegfried Hildebrandt*

Signature of inventor

Signature of inventor

Signature of inventor

X September 18, 1999

Date

Date

Date

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.